

THURSDAY, FEBRUARY 28, 1991

SIXTEENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Tom Rascoe, Forbus United Methodist Church, Pall Mall, Tennessee.

Representative Rep. John Mark Windle led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 94

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Bittle; due to family illness.

Representative Harrill; due to out-of-state meeting.

Representative Meyer; due to out-of-state meeting.

Representative Niceley; due to out-of-state meeting.

Representative Nuber; due to death in family.

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**REPORT OF COMMITTEE ON CALENDAR AND RULES  
February 28, 1991**

**MR. SPEAKER:** Your Calendar and Rules Committee reports that we have met and set the following bills on the **Regular Calendar** for **Monday, March 4, 1991:** House Bill(s) No(s). 690 and 798.

We have also set the following bills on the **Regular Calendar** for **Wednesday, March 6, 1991:** House Bill(s) No(s). 327, 328, 623, 1333 and 832.

PHILLIPS, Chair.

**CONSENT CALENDAR**

**House Joint Resolution No. 0107** -- Memorials, Professional and Business Achievement -- Bob and Ted Franklin, Chattanooga architects.

**House Bill No. 1494** -- Carter County -- Adopts "Carter County Junkyard Control Act of 1991".

**House Bill No. 1511** -- Knox County -- Adds criminal investigator and secretarial positions in 6th judicial district.

**Senate Joint Resolution No. 0085** -- Memorials, Death -- Claybourne Ross.

**Senate Joint Resolution No. 0086** -- Memorials, Sports -- Franklin High School soccer team.

**Senate Joint Resolution No. 0090** -- Memorials, Public Service -- Missy Eakin.

**Senate Joint Resolution No. 0092** -- Memorials, Personal Achievement -- Valerie K. Bryant, Mrs. Tennessee 1991.

**Senate Joint Resolution No. 0093** -- Memorials, Death -- Dr. Charles O. Whitehead.

**Senate Joint Resolution No. 0094** -- Memorials, Professional and Business Achievement -- Johnny Majors, Tennessean of the Year.

**Senate Joint Resolution No. 0095** -- Memorials, Illness -- Shelvy M. Martin.

**Senate Joint Resolution No. 0096** -- General Assembly, Statement of Intent or Position -- Expresses support for armed forces in Operation Desert Storm.

**Senate Joint Resolution No. 0098** -- Memorials, Public Service -- Chaplain David Cooper.

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**House Bill No. 0149** -- Education -- Increases number of excess instruction days that may be accumulated; allows them to be used for days missed due to certain conditions. Amends TCA 49-6-3004.

**\*House Joint Resolution No. 0045** -- Highway Signs -- James E. King Bridge, U.S. 11E and Tennessee 37.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**REGULAR CALENDAR**

**\*House Bill No. 0257** -- Sunset Laws -- Extends termination date of department of health and environment. Amends TCA Titles 1-71.

On motion, House Bill No. 257 was made to conform with Senate Bill No. 333.

On motion, **Senate Bill No. 333**, on same subject, was substituted for House Bill No. 257.

Rep. King moved that **Senate Bill No. 333** be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes. . . . .	92
Noes. . . . .	0
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: DeBerry, Dixon -- 2.

A motion to reconsider was tabled.

**\*House Bill No. 0276** -- Taxes, Sales -- Transfers exemption for certain printing materials. Amends TCA, Title 67.

Rep. Rhinehart moved that House Bill No. 276 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

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**\*House Bill No. 0171** -- Assessors -- Requires certain records for assessors in counties without building permits. Amends TCA 67-5-603.

On motion, House Bill No. 171 was made to conform with Senate Bill No. 735.

On motion, **Senate Bill No. 735**, on same subject, was substituted for House Bill No. 171.

Rep. Rhinehart moved that **Senate Bill No. 735** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Jackson -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 0187** -- District Attorneys -- Requires state assumption of employee retirement contributions of criminal investigators. Amends TCA 8-34-206.

Rep. Rhinehart moved that House Bill No. 187 be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1 follows:

**Amendment No. 1**

Amend House Bill No. 187 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

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Section \_\_\_\_\_. The provisions of this act shall be null and void unless the general appropriations act provides an appropriation for the estimated first year's funding pursuant to Article II, Section 24 of the constitution of the state of Tennessee.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Rhinehart moved that **House Bill No. 187, as amended**, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	91
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

**House Bill No. 0407 -- Motor Vehicles, Titling and Registration --** Allows multi-year registration of rental trailers. Amends TCA 55-4-111.

On motion, House Bill No. 407 was made to conform with Senate Bill No. 225.

On motion, **Senate Bill No. 225**, on same subject, was substituted for House Bill No. 407.

Rep. Robinson (Davidson) moved that **Senate Bill No. 225** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles,

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Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**\*House Bill No. 0409** -- Driver Licenses -- Authorizes drivers under age 21 to qualify for A and B licenses rather than C licenses under certain circumstances. Amends TCA 55-50-303.

Rep. Robinson (Davidson) moved that House Bill No. 409 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**House Bill No. 0070** -- Motor Vehicles -- Expands type of vehicles which may be sold at contractors heavy construction equipment auction. Amends TCA 55-17-120.

On motion, House Bill No. 70 was made to conform with Senate Bill No. 114.

On motion, **Senate Bill No. 114**, on same subject, was substituted for House Bill No. 70.

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Rep. Head moved that **Senate Bill No. 114** be passed on third and final consideration.

Rep. Robinson (Davidson) moved that Transportation Committee Amendment No. 1, previously filed, be withdrawn, which motion prevailed.

**Amendment No. 1**

Amend Senate Bill No. 114 by deleting at the end of the amendatory language in Section 1, the words "by the auctioneer commission" and by substituting instead the following:

as required by title 62, chapter 19

Rep. Robinson (Davidson) moved that Transportation Committee Amendment No. 2, previously filed, be withdrawn, which motion prevailed.

**Amendment No. 2**

Amend Senate Bill No. 114 by adding the following language at the end of the amendatory language of Section 1:

Notice of such auction shall be given to the motor vehicle commission at least two (2) weeks prior to such auction. The total value of all motor vehicles sold at such auction shall not exceed ten percent (10%) of the sales prices of all equipment sold at such auction.

Thereupon, Rep. Head moved that **Senate Bill No. 114** as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.



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**UNFINISHED BUSINESS**

**BILLS WITHDRAWN**

On motion of Rep. Sipes, House Bill No. 578 was recalled from the Commerce Committee.

On motion of Rep. Sipes, House Bill No. 578 was withdrawn from the House.

**REFERRED TO DELAYED BILLS COMMITTEE**

Pursuant to House Rule No. 78, House Bill(s) No(s). 1521, having been prefiled, has/have been referred to the Delayed Bills Committee for its approval for introduction.

**\*House Bill No. 1521** -- Insurance, Health, Accident -- Authorizes service providers receiving funds from area agency on aging to participate in group insurance plan; requires persons participating be responsible for premiums. Amends TCA 8-27-201. by \*Hillis.

**RULES SUSPENDED**

Rep. U. Jones moved that the rules be suspended for the purpose of introducing House Resolution No. 22 out of order, which motion prevailed.

**House Resolution No. 0022** -- Memorials, Professional and Business Achievement -- Bobby O'Jay, Memphis Radio Personality. by \*Jones U, \*King, \*Jones R, \*DeBerry, \*Turner L, \*Dixon.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. U. Jones, the resolution was adopted.

A motion to reconsider was tabled.

**MESSAGE FROM THE GOVERNOR**

February 28, 1991

To The Senate and House of Representatives  
of the 97th General Assembly:

In accordance with the law, I submit to you my recommended budget for the fiscal year beginning July 1, 1991.

In my inaugural address to this General Assembly, I pledged that I would pass to our children a government looked upon with respect

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in the financial markets of the world and in the households of Tennessee. The proposed budget remains faithful to that principle.

Despite national economic forces beyond our control, our state government has maintained a stable posture. We closed the 1990 fiscal year with a positive fund balance. Our bond rating remains strong. Our debt is low. Our retirement system is sound. And our taxes continue to be among the lowest of the fifty states.

My budget recommendations are based upon two assumptions. First, that the national economy will experience a higher level of growth during the next fiscal year. Second, that the General Assembly will enact tax reform proposals designed to provide adequate resources for education and a more fair tax system for the people of Tennessee.

The recommended budget for the next fiscal year totals \$9.7 billion. The budget reflects an increase in spending of \$942.4 million. All resources in the General Fund derived from a reform of the state's tax structure would be dedicated to improving Tennessee's schools. Growth in the remainder of the budget would provide significant improvements for health care and the opening of three new prisons. In addition, the budget would fund the acceleration of Tennessee's road construction program.

The proposed budget continues the Administration's commitment to a program of timely capital maintenance. However, in an effort to lower debt service costs, the budget contains a substantial reduction in the authorization of general obligation bonds for capital construction.

Should the economy recover, salaries for state employees, teachers and higher education faculty would be increased by an average of four percent. Teachers in underfunded school systems would receive an additional supplement to move them closer to the statewide average salary.

As noted, the budget would accelerate Tennessee's road and bridge construction program by an appropriation of \$150 million. Spending for road and bridge construction would total \$989 million.

Of the improvements contained in this budget, three of every four new dollars are allocated to improving education in Tennessee. The recommendations would restore full funding to higher education and provide \$1.83 billion to fund Tennessee's K-12 education program. The proposed education program is designed to ensure that every child in Tennessee, regardless of where they live, will have an adequately funded classroom.

In summary, these recommendations would give the people of Tennessee a conservative, responsible and balanced budget. If adopted, they will go far toward providing our citizens with the

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skills and resources needed to compete successfully in the 21st Century.

/s/Ned McWherter, Governor

#### **SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 185:** Rep(s). Halteman and Stamps as prime sponsor(s).

**House Bill No. 186:** Rep(s). Halteman and Stamps as prime sponsor(s).

**House Bill No. 230:** Rep(s). Knight as prime sponsor(s).

**House Bill No. 231:** Rep(s). Knight as prime sponsor(s).

**House Bill No. 1415:** Rep(s). Tullos as prime sponsor(s).

**House Bill No. 1512:** Rep(s). Halteman and Stamps as prime sponsor(s).

**House Joint Resolution No. 38:** Rep(s). Turner (Hamilton) as prime sponsor(s).

**House Joint Resolution No. 62:** Rep(s). Knight as prime sponsor(s).

#### **INTRODUCTION OF RESOLUTIONS**

On motion, the resolution(s) listed was/were introduced and referred as noted:

**\*House Resolution No. 0018** -- General Assembly, Studies -- Continues special joint committee created by HJR 43 and HJR 207 to study AFDC. by \*Pruitt, \*Armstrong, \*Kent, \*Halteman.

Referred by the Speaker to the Health and Human Resources Committee.

**\*House Resolution No. 0019** -- Memorials, Personal Achievement -- LeeAnne Rucker-Reed. by \*Bragg.

Referred by the Speaker to the Calendar and Rules Committee.

**\*House Joint Resolution No. 0110** -- Highway Signs -- PFC Lattie Tipton, Bridge No. 86-36-13.01 in Erwin. by \*Whitson.

Referred by the Speaker to the Transportation Committee.

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**House Joint Resolution No. 0111** -- Memorials, Public Service -- Robert Joseph Davis. by \*Anderson, \*Huskey.

Referred by the Speaker to the Calendar and Rules Committee.

**INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 1518** -- Oliver Springs -- Changes compensation of mayor and aldermen. Amends Chapter 247, Acts of 1905, as amended. by \*Ferguson.

Passed first consideration.

**House Bill No. 1519** -- Cocke County -- Confers mental health commitment jurisdiction upon general sessions court. Amends Chapter 316, Private Acts of 1953, as amended. by \*Davis R E.

Passed first consideration.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk as noted:

**Senate Bill No. 1274** -- Cocke County -- Repeals purchasing commission. Repeals Chapter 780, Private Acts of 1935. (HB 1160).

Held pending third consideration of companion House Bill.

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

**House Bill No. 1516** -- Bedford County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

**STUDY COMMITTEE REPORTS FILED**

The Clerk announced that the Dept. of Mental Health and Mental Retardation had filed its report on Involuntary Commitment of African Americans in the state Mental Health System, pursuant to House Joint Resolution No. 787 of 1990.

The Clerk announced that the Joint Study Committee on Health Care Costs, pursuant to Senate Joint Resolution No. 455 of 1990, has completed its work and submitted its final report, which is on file in the Clerk's office.

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The Clerk announced that the Joint Study Committee on Recruitment and Retention Efforts of Minorities in Education, pursuant to House Joint Resolution No. 36 of 1990, has completed its work and submitted its final report, which is on file in the Clerk's office.

The Clerk announced that the Committee on Improvement and Expansion of Community Education, pursuant to House Joint Resolution No. 588 of 1990, has asked for a one year extension to complete its work.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES  
February 28, 1991**

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 1160.

**REPORT OF COMMITTEE ON CALENDAR AND RULES  
CONSENT CALENDAR  
February 28, 1991**

MR. SPEAKER: The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, March 4, 1991: House Resolution(s) No(s). 19; House Joint Resolution(s) No(s). 111; also House Bill(s) No(s). 1160.

PHILLIPS, Chair.

**MESSAGE FROM THE SENATE  
February 28, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 102; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**ENGROSSED BILLS  
February 28, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 149, 187, 276, 409, 1494 and 1511; also, House Joint Resolution(s) No(s). 45 and 107; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

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**ENROLLED BILLS  
February 28, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 17; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**SIGNED  
February 28, 1991**

The Speaker announced that he had signed the following: House Resolution(s) No(s). 17.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE  
February 28, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 727, 1123, 1176, 1469, 1497, 1499, 1500 and 1501; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**ENROLLED BILLS  
February 28, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1295; House Resolution(s) No(s). 22; also, House Joint Resolution(s) No(s). 71 and 96; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**SIGNED  
February 28, 1991**

The Speaker announced that he had signed the following: House

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Bill(s) No(s). 1295; House Joint Resolution(s) No(s). 71 and 96; also, House Resolution(s) No(s). 22.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE  
February 28, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 71 and 96; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE  
February 28, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 330; also, House Joint Resolution(s) No(s). 3, 4, 5, 25, 72, 73, 76, 78, 80, 88, 89, 90, 94 and 97; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK  
February 28, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 71 and 96; for his action.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**REPORT OF CHIEF ENGROSSING CLERK  
February 28, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 330; and House Joint Resolution(s) No(s). 3, 4, 5, 25, 72, 73, 76, 78, 80, 88, 89, 90, 94 and 97; for his action.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**THURSDAY, FEBRUARY 28, 1991 -- SIXTEENTH LEGISLATIVE DAY**

**MESSAGE FROM THE SENATE  
February 28, 1991**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 100, 101 and 102; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**Senate Joint Resolution No. 0100 --** Memorials, Sports -- Christian Brothers High School cheerleading squad. by \*Cohen, Person, Dunavant.

**Senate Joint Resolution No. 0101 --** Memorials, Public Service -- Kingsport Jaycees, 45th Anniversary. by \*Montgomery, \*Crowe, Cooper.

**Senate Joint Resolution No. 0102 --** Memorials, Public Service -- Susan Nunley Marttala. by \*Cooper.

**MESSAGE FROM THE SENATE  
February 28, 1991**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bill(s) No(s). 81, 190, 209, 226, 227, 295, 296, 351, 395, 411, 473, 593, 859, 903, 905, 1138 and 1387; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**\*Senate Bill No. 0081 --** Fees -- Increases fees for various probate filings. Amends TCA 8-21-401, 30-2-306, 314, 55-8-132, 67-8-406. by \*Kyle.

**\*Senate Bill No. 0190 --** Election Laws -- Removes right of certain elderly or handicapped persons to vote at election commission office on election day; expands absentee voting for such persons. Amends TCA, Title 2, Chs. 3, 6. by \*Henry, \*McKnight.

**\*Senate Bill No. 0209 --** Taxes, Sales -- Removes time limitation on special allocation of certain tax revenues. Repeals Chapter 1025, Section 2, Public Acts of 1988. Amends TCA 67-6-103. by \*Koella.

**\*Senate Bill No. 0226 --** Custody and Support -- Provides for collection of additional expenses in legitimacy cases. Amends TCA, Title 36, Ch. 2. by \*Henry.

**\*Senate Bill No. 0227 --** Abortion -- Repeals parental notification for abortion upon minor. Repeals TCA 39-15-202. by \*Henry.

**Senate Bill No. 0295 --** Appropriations -- Appropriates funds for York Institute. by \*O'Brien.



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**\*Senate Bill No. 0296 -- Utilities, Utility Districts --** Authorizes residential subdivision homeowners' associations to be incorporated as separate utility district to provide sewer services. Amends TCA 7-82-201. by \*O'Brien.

**Senate Bill No. 0351 -- Taxes, Severance --** Removes certain counties from exemption under severance tax law. Amends TCA 67-7-211. by \*Lawson.

**Senate Bill No. 0395 -- Hospitals and Health Care Facilities --** Exempts certain health care facilities from certificate of need requirements under certain circumstances. Amends TCA 68-11-106. by \*Womack, \*Haynes, Albright, Harper, Rochelle, Hamilton, McKnight, Montgomery, Ford, Cohen, Henry, Crutchfield, O'Brien, Darnell.

**\*Senate Bill No. 0411 -- Taxes, Gasoline, Petroleum Products --** Conforms petroleum products subject to environmental assurance fee to those subject to petroleum products tax; conforms collection and administration procedures to special tax on petroleum products. Amends TCA 67-3-904, 905, 68-53-110. by \*Hamilton, McKnight.

**\*Senate Bill No. 0473 -- Election Laws --** Restricts certain political campaigning. Amends TCA 2-7-111. by \*Crutchfield, McKnight.

**\*Senate Bill No. 0593 -- Criminal Offenses --** Revises law concerning weapons. Amends TCA, Title 39, Ch. 17. by \*Haynes.

**Senate Bill No. 0859 -- Military --** Requires veterans' service officers be issued accreditation within certain time period. Amends TCA, Title 58, Ch. 3. by \*Womack, McKnight.

**Senate Bill No. 0903 -- Election Laws --** Increases time in Davidson County to appoint poll officials. Amends TCA 2-4-102. by \*Hicks.

**Senate Bill No. 0905 -- Election Laws --** Deletes requirement that main office of Davidson County election commission be open first Saturday of month. Amends TCA 2-2-108. by \*Hicks.

**Senate Bill No. 1138 -- Aircraft and Airports --** Increases from Class C to Class B misdemeanor interfering with light or guide for aircraft. Amends TCA, Title 42. by \*Ford.

**Senate Bill No. 1387 -- General Services, Dept. of --** Authorizes commissioner to appoint designee to resolve bid protests. Amends TCA 12-3-214. by \*Darnell.

**ENROLLED BILLS  
February 28, 1991**

**MR. SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 727, 1123,

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1176, 1469, 1497, 1499, 1500 and 1501; also, House Joint Resolution(s) No(s). 102; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Bill(s) No(s). 727, 1123, 1176, 1469, 1497, 1499, 1500 and 1501; also House Joint Resolution(s) No(s). 102.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 93

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Odom, Peroulas Draper, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

On motion of Rep. Purcell, the House recessed until 5:00 p.m., Monday, March 4, 1991.